

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of Bernard  
L. Madoff,

Plaintiff,

v.

SONJA KOHN, et al.,

Defendants.

SIPA LIQUIDATION

No. 08-01789 (SMB)

(Substantively Consolidated)

Adv. Pro. No. 10-05411 (SMB)

**STIPULATION AND ORDER SETTING STATUS CONFERENCE AND  
EXTENDING TIME TO RESPOND**

WHEREAS, the time by which defendants Sonja Kohn, Infovaleur, Inc. and Tecno Development & Research, Ltd. (the “Defendants”) were required to respond to the Motion for Leave to File a Third Amended Complaint (the “Motion to Amend”), filed by plaintiff Irving H. Picard, Trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff (the “Trustee”), was extended to March 1, 2019;

WHEREAS, the time by which the Defendants were required to answer, move, or otherwise respond to the Trustee’s complaint (the “Complaint”) was extended to March 1, 2019;

IT IS HEREBY STIPULATED AND AGREED, by and between the Trustee and the Defendants, by and through their undersigned counsel, that:

1. The Court will hold a status conference in this adversary proceeding on March, 27, 2019, at 10:00 am;
2. The time by which the Defendants may respond to the Motion to Amend is further extended to April 10, 2019, or fourteen (14) days after the Court ultimately holds the status conference; and
3. The time by which the Defendants may answer, move, or otherwise respond to the Complaint is further extended to April 10, 2019, or fourteen (14) days after the Court ultimately holds the status conference.

Nothing in this Stipulation is a waiver of the Defendants’ right to request from the Court a further extension of time to answer, move, or otherwise respond, and/or the Trustee’s right to object to such request. The extension of time granted by this Stipulation is without prejudice to any future extensions of time.

Undersigned counsel for the Defendants represents that service of process of the summons and Complaint on the Defendants has been completed, and hereby waives any defenses based on insufficiency of process or insufficiency of service of process on behalf of the Defendants.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and

defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: March 11, 2019  
New York, New York

**BAKER & HOSTETLER LLP**

By: /s/ Keith R. Murphy

45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Keith R. Murphy  
Email: kmurphy@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate  
of Bernard L. Madoff*

**NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER,  
P.A.**

By: /s/ Nathan D. Adler

One South Street, 27<sup>th</sup> Floor  
Baltimore, Maryland 21202  
Telephone: (410) 332-8550  
Facsimile: (410) 332-8511  
Isaac M. Neuberger  
Email: imn@nqgrg.com  
Price O. Gielen  
Email: pog@nqgrg.com  
Nathan D. Adler  
Email: nda@nqgrg.com

*Attorneys for Defendants Sonja Kohn,  
Infovaleur, Inc. and Tecno Development &  
Research Ltd.*

~~SO ORDERED~~ this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
~~HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE~~

## MEMORANDUM ENDORSEMENT AND ORDER

The Trustee filed a motion for leave to file a Third Amended Complaint on November 26, 2014. Since then, the parties have executed numerous stipulations, which I have approved, extending the Defendants' time to respond to the motion. The last "so ordered" stipulation, signed October 23, 2018, extended the Defendants' response date to March 1, 2019.

On February 15, 2019, the parties sent me another proposed stipulation that would have extended the Defendants' response deadline to July 31, 2019. I declined to approve it because this matter had been delayed too long and scheduled a pre-trial conference for March 27, 2019. This afforded the Defendants two weeks to respond to the Trustee's motion and allow for the completion of briefing by the date of the conference. The Defendants did not file a response, and they now ask, with the Trustee's consent, for another extension. The present proposal ignores my refusal to grant a further extension, and accordingly, I decline to approve the stipulation. If the Defendants' response is not filed prior to the March 27, 2019 conference, the Trustee's motion will be granted.

So ordered.

Dated: New York, New York  
March 12, 2019

/s/ *Stuart M. Bernstein*  
STUART M. BERNSTEIN  
United States Bankruptcy Judge